

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**CAPTAIN NANCY S. DIETZ,**

**Plaintiff,**

**V.**

**MAYOR JAMES M BAKER,**  
**individually and in his official capacity**  
**as the Mayor of the City of Wilmington,**  
**and the CITY OF WILMINGTON, a**  
**municipal corporation,**

## Defendants.

**C.A.No.06-256-SLR**

## STIPULATION ALTERING THE DISPOSITIVE MOTION BRIEFING SCHEDULE

Trial in this case is scheduled to begin on February 11, 2008.

Summary judgment opening briefs are due on June 29, 2007, leaving many months before trial for the court to issue any rulings in that regard.

Cheryl Hertzog, plaintiff's co-counsel from The Neuberger Firm, has had primary responsibility for development of the fact record in this case.

Ms. Hertzog delivered a healthy baby girl on March 31, 2007 and will not return to work until July 1, 2007, after the summary judgment opening briefs are filed.

As a professional courtesy, defense counsel have consented to move the briefing schedule in this case two weeks to accommodate Ms. Hertzog's return to work, provided the trial date is not lost.

It is hereby stipulated and agreed between the parties, subject to the approval of the Court, that -

1. The existing dispositive briefing schedule in this matter is vacated.
2. Any summary judgment opening briefs and supporting affidavits shall be filed on July 13, 2007, the answering briefs and supporting affidavits on July 27, 2007 and any reply briefs on August 3, 2007.
3. The trial date of February 11, 2008 is reaffirmed.

**THE NEUBERGER FIRM, P.A.**

/s/ Thomas S. Neuberger

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Dated: April 20, 2007

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Dated: April 20, 2007

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Attorneys for James M. Baker, individually and  
in his official capacity as Mayor of the City of  
Wilmington

Dated: April 20, 2007

IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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**CHIEF JUDGE SUE L. ROBINSON**

Dietz, Nancy\ Pleadings-drafts \Stipulations\ Pregnancy Stipulation.Final.wpd